

EXHIBIT 2

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GOOGLE LLC

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

IN RE: NATIONAL FOOTBALL
LEAGUE'S SUNDAY TICKET
ANTITRUST LITIGATION

CASE NO.: 2:15-ML-02668-PSG (JEMx)

**NON-PARTY GOOGLE LLC'S
OBJECTIONS AND RESPONSES TO
SUBPOENA FOR PRODUCTION OF
DOCUMENTS**

THIS DOCUMENT RELATES TO ALL
ACTIONS.

Production Date: May 1, 2023

Non-Party Google LLC hereby responds to Plaintiff's subpoena as follows:

GENERAL OBJECTIONS

In addition to Google's responses and objections to the enumerated document requests below, Google makes the following objections to the Subpoena ("General Responses and Objections"). The below objections are also incorporated in the responses and objections to the enumerated document requests stated below.

1 Google objects to the Subpoena on the grounds that it was improperly served without leave
2 of court. Google understands that discovery in this matter was closed on August 5, 2022. Plaintiffs
3 have not sought leave of Court to serve discovery on Google after the discovery cut-off. As a
4 result, this Subpoena is improper.

5 1. Google objects to the Subpoena on the grounds that it is unduly burdensome to the
6 extent its Requests are not reasonably tailored in scope.

7 2. Google objects to the Subpoena on the grounds that it calls for documents or
8 information for an unspecified or overly broad period of time.

9 3. Google objects to the Subpoena on the grounds that it seeks to impose an undue
10 burden on Google, which is not a party to the underlying action. Google further objects to the
11 Subpoena to the extent it seeks documents or information that are in the possession, custody, or
12 control of a party to the underlying action or equally available from another source (including
13 public sources) that is more convenient, less burdensome, or less expensive than requiring Google
14 to produce such documents or information. As a disinterested non-party, Google should not be
15 subjected to the burden of searching for and producing such documents or information unless and
16 until all reasonable means of obtaining that information directly from such other sources have been
17 exhausted. To the extent Google agrees to produce any documents, Google reserves its right to
18 request Plaintiffs to pay for the cost of Google's production of these documents.

19 4. Google objects to the Subpoena to the extent it seeks documents or information that
20 are not proportionate to the needs of the case or not relevant to any party's claims or defenses.
21 Google reserves the right to redact information concerning irrelevant matters. This Subpoena
22 appears to seek information about an agreement not at issue in the underlying litigation. To the
23 extent there is some relevance to the underlying litigation, these requests are grossly
24 disproportionate to the needs of the case, for among other reasons, the fact that the case has already
25 proceeded past expert discovery.

26 5. Google objects to the Subpoena to the extent it fails to provide information
27 sufficient to enable Google to conduct a reasonable search for documents and information
28 responsive to the Subpoena, if any. Without such information, the Subpoena would subject Google

1 to an unreasonable burden of conducting an overbroad inquiry and search for responsive
2 documents or information.

3 6. Google objects to the Subpoena to the extent it purports to require Google to
4 perform anything more than a reasonable and diligent search for documents (including electronic
5 documents) from reasonably accessible sources (including electronic sources).

6 7. Google objects to the Subpoena to the extent it seeks electronically stored
7 information that is not reasonably accessible to Google.

8 8. Google objects to the Subpoena to the extent that it is vague, ambiguous, or
9 unlimited in time or scope.

10 9. Google objects to the Subpoena to the extent it seeks information protected by any
11 privilege, including the attorney-client privilege, work product immunity doctrine, common
12 interest privilege, or any other applicable privilege, immunity, or restriction on discovery. Any
13 disclosure of privileged information by Google in response to the Subpoena shall not be deemed a
14 waiver of any such privilege, and Google expressly requests that any party that receives any such
15 privileged information produced by Google immediately returns and does not make use of any
16 produced privileged information.

17 10. Google objects to the Subpoena to the extent it seeks confidential financial,
18 proprietary, or trade secret information belonging to Google or a third party, or any other
19 information subject to a confidentiality agreement, protective order, or legal duty of non-disclosure
20 (“Confidential Information”). Google will only produce information it deems to be Confidential
21 Information pursuant to a confidentiality agreement or protective order that it believes is suitable
22 for the protection of that Confidential Information. Even if an adequate protective order has been
23 entered in the underlying action by the presiding court, Google will only provide Confidential
24 Information to the extent Google can do so consistent with its legal, contractual, and other
25 confidentiality obligations. Google reserves the right to redact Confidential Information belonging
26 to Google or third parties.

1 11. Google objects to the Subpoena's definitions and instructions to the extent they
2 purport to impose obligations on Google in excess of any applicable federal or state codes of civil
3 procedure, rules of evidence, or any other applicable law.

4 12. Google objects to the Subpoena to the extent it seeks documents or information that
5 is not currently in the possession, custody, or control of Google.

6 13. Google objects to the Subpoena to the extent it seeks information relating to the
7 knowledge, recollections, or mental impressions of former employees who are no longer employed
8 by Google, or any other information that is no longer in the possession, custody, or control of
9 Google.

10 14. Google objects to the Subpoena to the extent that it requires the production of more
11 documents than is sufficient to show or identify the information sought by each request therein.
12 Google objects to the purported requirement that Google produce "[a]ll Documents" and/or "[a]ll
13 Communications" in response to certain requests on the grounds that this phrasing renders those
14 requests overbroad, unduly burdensome, and not proportional to the needs of the case.

15 15. Google reserves the right to assert additional objections, or to supplement its
16 objections and responses as appropriate, particularly if any additional information regarding the
17 Subpoena or the underlying claims at issue is provided.

18 **OBJECTIONS TO DEFINITIONS**

19 16. Google objects to Definition No. 6 of "Communication" on the grounds that it
20 renders the Subpoena vague, ambiguous, overbroad, and unduly burdensome as it seeks
21 information that is not relevant to any party's claims or defenses or proportional to the needs of
22 this case, including to the extent it includes oral or other communications that are not within
23 Google's possession, custody, or control. Among other issues Google objects to the phrase "by
24 signs, signals, or code" as overbroad and ambiguous, and the requirement to produce
25 communications related to "face-to-face meetings" as such a request is overbroad and impossible
26 to comply with as drafted.

27 17. Google objects to Definition No. 7 of "Concerning" on the grounds that it renders
28 the Subpoena vague, ambiguous, overbroad, and unduly burdensome as it seeks information that

1 is not relevant to any party's claims or defenses or proportional to the needs of this case. Google
2 objects to the definitions to the extent they impose any obligations exceeding or differing from the
3 requirements of the Federal Rules of Civil Procedure.

4 18. Google objects to Definition No. 9 of "Document" and "Documents" on the
5 grounds that it is vague, ambiguous, overbroad, unduly burdensome, and renders the requests in
6 the Subpoena vague, ambiguous, overbroad, unduly burdensome and not relevant to any party's
7 claims or defenses or proportional to the needs of the case. Google objects to the definitions to
8 the extent they impose any obligations exceeding or differing from the requirements of the Federal
9 Rules of Civil Procedure. To the extent Google agrees to produce information, it will produce
10 documents and other materials, including electronically stored information, in a manner consistent
11 with the Federal Rules of Civil Procedure.

12 19. Google objects to Definition No. 16 of "NFL Sunday Ticket" on the grounds that
13 it renders the Subpoena vague, ambiguous, overbroad, and unduly burdensome. As defined, the
14 term does not explain whether it is a package offered by DirecTV, which Google understands to
15 be the subject of this litigation, or a different package of games, offered or contemplated by other
16 parties. Google also objects to this Definition to the extent it purports to seek documents from
17 outside Google's possession, custody, or control or requires Google to produce documents or
18 information that is protected by any privilege, including the attorney-client privilege, work product
19 immunity doctrine, common interest privilege, or any other applicable privilege, immunity, or
20 restriction on discovery.

21 20. Google objects to Definition No. 17 of "Person" on the grounds that it renders the
22 Subpoena vague, ambiguous, overbroad, and unduly burdensome as it seeks information that is
23 not relevant to any party's claims or defenses or proportional to the needs of this case. Google
24 also objects to this definition as it renders the subpoena so overbroad that it is impossible to
25 respond to. Google also objects to this Definition to the extent it purports to seek documents from
26 outside Google's possession, custody, or control or requires Google to produce documents or
27 information that is protected by any privilege, including the attorney-client privilege, work product
28

1 immunity doctrine, common interest privilege, or any other applicable privilege, immunity, or
2 restriction on discovery.

3 21. Google objects to Definition No. 21 of “You,” “Your,” or “Your Company,” on the
4 grounds that it renders the Subpoena vague, ambiguous, overbroad, and not relevant to any party’s
5 claims or defenses or proportional to the needs of the case. Google further objects to the Definition
6 No. 21 to the extent it seeks information not currently in the possession, custody, or control of
7 Google. Google responds on behalf of itself (Google LLC) and YouTube, LLC. Google does not
8 respond on behalf of any other subsidiary or affiliate of Google or YouTube, or any other person
9 or entity. Google further objects to Definition No. 21 on the grounds that the definition includes
10 Google’s “attorneys” and requires Google to provide a legal conclusion or to produce documents
11 or information that is protected by any privilege, including the attorney-client privilege, work
12 product immunity doctrine, common interest privilege, or any other applicable privilege,
13 immunity, or restriction on discovery.

14 **OBJECTIONS TO INSTRUCTIONS**

15 22. Google objects to Instruction No. 3 on the grounds that it is burdensome and
16 overbroad because it demands that Google collect and produce documents from parents, affiliates,
17 subsidiaries, employees, directors, officers, or agents without limitation or regard for what
18 documents are responsive and reasonably called for by the litigation.

19 23. Google objects to Instruction No. 10 on the grounds that it is burdensome and
20 demands that Google produce documents in a specific form at Google’s expense. To the extent
21 Google agrees to produce any documents, Google reserves its right to request Plaintiffs to pay for
22 the cost of Google’s production of these documents.

23 24. Google further objects to Instruction 9 to the extent it requires Google to produce
24 documents subject to a protective order that does not properly protect Google’s confidential
25 information.

26 25. Google further objects to Instruction 10 to the extent it requires Google to produce
27 documents in a form beyond what is called for by the Federal Rules of Civil Procedure.
28

SPECIFIC RESPONSES AND OBJECTIONS

In addition to the foregoing General Responses and Objections, set forth below are Google's responses and further objections to the individual requests set forth in the Subpoena. Each General Response and Objection is incorporated into each of the responses to the individual document request. Without waiving any of the foregoing General Responses and Objections, Google responds further as follows:

REQUEST NO. 1:

All Documents constituting, memorializing, or reflecting any Communications between or among You and any person affiliated with the NFL or any Club concerning NFL Sunday Ticket.

RESPONSE TO REQUEST NO. 1:

Google objects to the Subpoena on the grounds that it was improperly served without leave of court. Google understands that discovery in this matter was closed on August 5, 2022. Plaintiffs have not sought leave of Court to serve discovery on Google and YouTube after the discovery cut-off and as a result service of this Subpoena is improper and has no legal effect.

Google objects to this Request as overbroad, unduly burdensome and on the ground that it requires unreasonable effort and expense by a non-party that is disproportionate to the needs of the case, in part because this Request purports to require Google to produce "[a]ll Documents" and "all other Documents" without regard to their import or relevance over a relevant time period. Google also objects to the reliance on the overbroad terms "Communications" and "affiliated" as rendering this Request overbroad, unduly burdensome, and disproportionate to the needs of the case.

Google objects to this Request on the ground that it seeks information that is not relevant to any party's claims or defenses in the underlying litigation, particularly because Google understands this litigation to involve claims about DirecTV's Sunday Ticket agreement, not any agreement Google or YouTube may have with the NFL or the Clubs.

Google further objects on the grounds that this request covers communications with the NFL or the Clubs and therefore seeks documents or information that is in the possession, custody, or control of a party to the underlying action.

1 Google further objects to this request to the extent it seeks disclosure of confidential
2 financial or commercial information, proprietary information, trade secrets, research and
3 development, or any other competitively sensitive information.

4 Google further objects to the extent the request seeks information protected by any
5 privilege, including the attorney-client privilege, work product doctrine, or any other applicable
6 privilege, immunity, or restriction on discovery.

7 Google is willing to meet and confer about a properly narrowed request and Plaintiff's plan
8 to pay for the costs of any production of documents by Google.

9 **REQUEST NO. 2:**

10 All Documents constituting, memorializing, or reflecting any Communications between or
11 among You and any person affiliated with Amazon, Apple, CBS, Fox, Goldman Sachs, ESPN, NBC,
12 or Roku concerning NFL Sunday Ticket or the rights to distribute NFL telecasts.

13 **RESPONSE TO REQUEST NO. 2:**

14 Google objects to the Subpoena on the grounds that it was improperly served without leave
15 of court. Google understands that discovery in this matter was closed on August 5, 2022. Plaintiffs
16 have not sought leave of Court to serve discovery on Google after the discovery cut-off and as a
17 result service of this Subpoena is improper and has no legal effect.

18 Google objects to this Request as overbroad, unduly burdensome and on the ground that it
19 requires unreasonable effort and expense by a non-party that is disproportionate to the needs of
20 the case, in part because this Request purports to require Google to produce "[a]ll Documents" and
21 "all other Documents" without regard to their relevance. Google also objects to the reliance on
22 the overbroad terms "Communications" and "affiliated" as rendering this Request overbroad,
23 unduly burdensome, and disproportionate to the needs of the case.

24 Google objects to this Request on the ground that it seeks information related to Google's
25 relationship with other non-parties to this litigation, which is not relevant to any party's claims or
26 defenses in the underlying litigation.

27 Google objects to this Request on the ground that it seeks information that is not relevant
28 to any party's claims or defenses in the underlying litigation. Google understands this litigation

1 to involve claims about DirecTV's Sunday Ticket agreement, not any agreements Google or
2 YouTube may have with the NFL or the Clubs. There are no claims related to Google or YouTube,
3 nor are there claims related to Amazon, Apple, CBS, Fox, Goldman Sachs, ESPN, NBC, or Roku.
4 None of the information sought is relevant to any party's claims or defenses in the underlying
5 litigation.

6 Google further objects to this request to the extent it seeks disclosure of confidential
7 financial or commercial information, proprietary information, trade secrets, research and
8 development, or any other competitively sensitive information.

9 Google further objects to the extent the request seeks information protected by any
10 privilege, including the attorney-client privilege, work product doctrine, or any other applicable
11 privilege, immunity, or restriction on discovery.

12 Google further objects that this request is impermissibly vague and overbroad because it
13 purports to seek documents related not just to the DirecTV agreement at issue, but the rights to
14 any NFL telecasts.

15 Google is willing to meet and confer about a properly narrowed request and Plaintiffs' plan
16 to pay for the costs of any production of documents by Google.

17 **REQUEST NO. 3:**

18 All Documents constituting, memorializing, or reflecting the actual or proposed terms of
19 the December 21, 2022 Agreement between You and the NFL concerning NFL Sunday Ticket.

20 **RESPONSE TO REQUEST NO. 3:**

21 Google objects to the Subpoena on the grounds that it was improperly served without leave
22 of court. Google understands that discovery in this matter was closed on August 5, 2022. Plaintiffs
23 have not sought leave of Court to serve discovery on Google and YouTube after the discovery cut-
24 off and as a result service of this Subpoena is improper and has no legal effect.

25 Google objects to this Request as overbroad, unduly burdensome and on the ground that it
26 requires unreasonable effort and expense by a non-party that is disproportionate to the needs of
27 the case, in part because this Request purports to require Google to produce "[a]ll Documents" and
28 "all other Documents" without regard to their relevance.

1 Google objects to this Request on the ground that it seeks information that is not relevant
2 to any party's claims or defenses in the underlying litigation. Google understands this litigation to
3 involve claims about DirecTV's Sunday Ticket agreement, not any agreements Google or
4 YouTube may have with the NFL or the Clubs.

5 Google further objects on the grounds that this request seeks information constituting,
6 memorializing, or reflecting the terms of an agreement to which the NFL is a signatory. This
7 request therefore seeks information that is in the possession, custody, or control of a party to the
8 underlying action.

9 Google further objects to this request to the extent it seeks disclosure of confidential
10 financial or commercial information, proprietary information, trade secrets, research and
11 development, or any other competitively sensitive information.

12 Google further objects to the extent the request seeks information protected by any
13 privilege, including the attorney-client privilege, work product doctrine, or any other applicable
14 privilege, immunity, or restriction on discovery.

15 Google is willing to meet and confer about a properly narrowed request and Plaintiff's plan
16 to pay for the costs of any production of documents by Google.

17 **REQUEST NO. 4:**

18 All Documents reflecting or concerning any initiatives, discussions, or proposals to create
19 a direct-to-consumer sports offering involving the NFL, including but not limited to the initiative
20 referred to as "Project Hoya."

21 **RESPONSE TO REQUEST NO. 4:**

22 Google objects to the Subpoena on the grounds that it was improperly served without leave
23 of court. Google understands that discovery in this matter was closed on August 5, 2022. Plaintiffs
24 have not sought leave of Court to serve discovery on Google and YouTube after the discovery cut-
25 off and as a result service of this Subpoena is improper and has no legal effect.

26 Google objects to this Request as overbroad, unduly burdensome and on the ground that it
27 requires unreasonable effort and expense by a non-party that is disproportionate to the needs of
28 the case, in part because this Request purports to require Google to produce "[a]ll Documents" and

1 “all other Documents” without regard to their relevance. Google also objects to the reliance on
2 the overbroad and vague terms “concerning,” “initiatives,” “discussions,” “proposals,” “direct-to-
3 consumer,” and “sports offering” as rendering this Request overbroad, unduly burdensome, and
4 disproportionate to the needs of the case.

5 Google also objects to the undefined term “Project Hoya” as rendering this Request
6 overbroad, vague, and ambiguous.

7 Google objects to this Request on the ground that it seeks information that is not relevant
8 to any party’s claims or defenses in the underlying litigation.

9 Google further objects on the grounds that this request seeks communications between
10 Google and the NFL or the Clubs and therefore seeks documents or information that is in the
11 possession, custody, or control of a party to the underlying action.

12 Google objects to this Request on the ground that it seeks information related to Google’s
13 relationship with other non-parties to this litigation, which is not relevant to any party’s claims or
14 defenses in the underlying litigation.

15 Google further objects to this request to the extent it seeks disclosure of confidential
16 financial or commercial information, proprietary information, trade secrets, research and
17 development, or any other competitively sensitive information.

18 Google further objects to the extent the request seeks information protected by any
19 privilege, including the attorney-client privilege, work product doctrine, or any other applicable
20 privilege, immunity, or restriction on discovery.

21 Google is willing to meet and confer about a properly narrowed request and Plaintiff’s plan
22 to pay for the costs of any production of documents by Google.

23 **REQUEST NO. 5:**

24 All Documents reflecting or concerning the actual or proposed package characteristics of
25 NFL Sunday Ticket.

26 **RESPONSE TO REQUEST NO. 5:**

27 Google objects to the Subpoena on the grounds that it was improperly served without leave
28 of court. Google understands that discovery in this matter was closed on August 5, 2022. Plaintiffs

1 have not sought leave of Court to serve discovery on Google and YouTube after the discovery cut-
2 off and as a result service of this Subpoena is improper and has no legal effect. Google objects to
3 this Request as overbroad, unduly burdensome and on the ground that it requires unreasonable
4 effort and expense by a non-party that is disproportionate to the needs of the case, in part because
5 this Request purports to require Google to produce “[a]ll Documents” and “all other Documents”
6 without regard to their relevance. Google also objects to the reliance on the overbroad term
7 “reflecting,” “concerning,” “actual,” “proposed,” “package,” and “characteristics” as rendering
8 this Request overbroad, unduly burdensome, and disproportionate to the needs of the case.

9 Google objects to this request as impermissibly vague and overbroad as it is not clear what
10 “NFL Sunday Ticket” means, and whether this request seeks information related to the package
11 offered by DirecTV, which Google understands to be the subject of this litigation, or a different
12 package of games, offered or contemplated by other parties.

13 Google objects to this Request on the ground that it seeks information that is not relevant
14 to any party’s claims or defenses in the underlying litigation. Google understands this litigation
15 to involve claims about DirecTV’s Sunday Ticket agreement, not any agreement Google or
16 YouTube may have with the NFL or the Clubs.

17 Google further objects on the grounds that this request covers communications between
18 Google and the NFL or the Clubs and therefore seeks documents or information that is in the
19 possession, custody, or control of a party to the underlying action.

20 Google further objects to this request to the extent it seeks disclosure of confidential
21 financial or commercial information, proprietary information, trade secrets, research and
22 development, or any other competitively sensitive information.

23 Google further objects to the extent the request seeks information protected by any
24 privilege, including the attorney-client privilege, work product doctrine, or any other applicable
25 privilege, immunity, or restriction on discovery.

26 Google is willing to meet and confer about a properly narrowed request and Plaintiff’s plan
27 to pay for the costs of any production of documents by Google.
28

REQUEST NO. 6:

All Documents reflecting or concerning the actual, estimated, or projected number of commercial or residential subscribers to NFL Sunday Ticket.

RESPONSE TO REQUEST NO. 6:

Google objects to the Subpoena on the grounds that it was improperly served without leave of court. Google understands that discovery in this matter was closed on August 5, 2022. Plaintiffs have not sought leave of Court to serve discovery on Google and YouTube after the discovery cut-off and as a result service of this Subpoena is improper and has no legal effect. Google objects to this Request as overbroad, unduly burdensome and on the ground that it requires unreasonable effort and expense by a non-party that is disproportionate to the needs of the case, in part because this Request purports to require Google to produce “[a]ll Documents” and “all other Documents” without regard to their relevance. Google also objects to the reliance on the overbroad term “reflecting,” “concerning,” “actual,” “estimated,” and “projected” as rendering this Request overbroad, unduly burdensome, and disproportionate to the needs of the case.

Google objects to this Request on the ground that it seeks information that is not relevant to any party’s claims or defenses in the underlying litigation. Google understands this litigation to involve claims about DirecTV’s Sunday Ticket agreement, not any agreements Google or YouTube may have with the NFL or the Clubs.

Google objects to this request as impermissibly vague and overbroad as it is not clear what “NFL Sunday Ticket” means, and whether this request seeks information related to the package offered by DirecTV, which Google understands to be the subject of this litigation, or a different package of games, offered or contemplated by other parties.

Google further objects on the grounds that this request covers communications between Google and the NFL or the Clubs and therefore seeks documents or information that is in the possession, custody, or control of a party to the underlying action.

Google further objects to this request to the extent it seeks disclosure of confidential financial or commercial information, proprietary information, trade secrets, research and development, or any other competitively sensitive information.

1 Google further objects to the extent the request seeks information protected by any
2 privilege, including the attorney-client privilege, work product doctrine, or any other applicable
3 privilege, immunity, or restriction on discovery.

4 Google is willing to meet and confer about a properly narrowed request and Plaintiffs' plan
5 to pay for the costs of any production of documents by Google.

6 **REQUEST NO. 7:**

7 All Documents reflecting or concerning the retail price of NFL Sunday Ticket for
8 commercial or residential subscribers.

9 **RESPONSE TO REQUEST NO. 7:**

10 Google objects to the Subpoena on the grounds that it was improperly served without leave
11 of court. Google understands that discovery in this matter was closed on August 5, 2022. Plaintiffs
12 have not sought leave of Court to serve discovery on Google and YouTube after the discovery cut-
13 off and as a result service of this Subpoena is improper and has no legal effect.

14 Google objects to this Request as overbroad, unduly burdensome and on the ground that it
15 requires unreasonable effort and expense by a non-party that is disproportionate to the needs of
16 the case, in part because this Request purports to require Google to produce "[a]ll Documents" and
17 "all other Documents" without regard to their relevance. Google also objects to the reliance on the
18 overbroad term "reflecting," "concerning," and "retail" as rendering this Request overbroad,
19 unduly burdensome, and disproportionate to the needs of the case.

20 Google objects to this Request on the ground that it seeks information that is not relevant
21 to any party's claims or defenses in the underlying litigation. Google understands this litigation
22 to involve claims about DirecTV's Sunday Ticket agreement, not any agreements Google or
23 YouTube may have with the NFL or the Clubs.

24 Google further objects on the grounds that this request covers communications between
25 Google and the NFL or the Clubs and therefore seeks documents or information that is in the
26 possession, custody, or control of a party to the underlying action.

27 Google objects to this request as impermissibly vague and overbroad as it is not clear what
28 "NFL Sunday Ticket" means, and whether this request seeks information related to the package

1 offered by DirecTV, which Google understands to be the subject of this litigation, or a different
2 package of games, offered or contemplated by other parties.

3 Google further objects to this request to the extent it seeks disclosure of confidential
4 financial or commercial information, proprietary information, trade secrets, research and
5 development, or any other competitively sensitive information.

6 Google further objects to the extent the request seeks information protected by any
7 privilege, including the attorney-client privilege, work product doctrine, or any other applicable
8 privilege, immunity, or restriction on discovery.

9 Google is willing to meet and confer about a properly narrowed request and Plaintiff's plan
10 to pay for the costs of any production of documents by Google.

11 **REQUEST NO. 8:**

12 All Documents reflecting or concerning agreements between the NFL and any other
13 broadcaster of NFL football games (including but not limited to CBS and Fox).

14 **RESPONSE TO REQUEST NO. 8:**

15 Google objects to the Subpoena on the grounds that it was improperly served without leave
16 of court. Google understands that discovery in this matter was closed on August 5, 2022. Plaintiffs
17 have not sought leave of Court to serve discovery on Google and YouTube after the discovery cut-
18 off and as a result service of this Subpoena is improper and has no legal effect.

19 Google objects to this Request as overbroad, unduly burdensome and on the ground that it
20 requires unreasonable effort and expense by a non-party that is disproportionate to the needs of
21 the case, in part because this Request purports to require Google to produce "[a]ll Documents" and
22 "all other Documents" without regard to their import or relevance over a relevant time period.
23 Google also objects to the reliance on the overbroad term "reflecting," "concerning," and
24 "broadcaster" as rendering this Request overbroad, unduly burdensome, and disproportionate to
25 the needs of the case.

26 Google objects to this Request on the ground that it seeks information related to Google's
27 relationship with other non-parties to this litigation, which is not relevant to any party's claims or
28 defenses in the underlying litigation.

Google objects to this Request on the ground that it seeks information that is not relevant to any party's claims or defenses in the underlying litigation. Google's views of the agreement between the NFL and broadcasters, to which Google is not a party, is not relevant to any party's claims or defenses.

Google further objects on the grounds that this request covers communications between Google and the NFL or the Clubs and therefore seeks documents or information that is in the possession, custody, or control of a party to the underlying action.

Google further objects to this request to the extent it seeks disclosure of confidential financial or commercial information, proprietary information, trade secrets, research and development, or any other competitively sensitive information.

Google further objects to the extent the request seeks information protected by any privilege, including the attorney-client privilege, work product doctrine, or any other applicable privilege, immunity, or restriction on discovery.

Google declines to produce any documents responsive to this request.

REQUEST NO. 9:

All Documents constituting, reflecting, or concerning reports and studies prepared by or for You, or received by You, regarding the following subject matters:

- a. NFL Sunday Ticket, and the proposed creation of any similar package for televising and/or streaming out-of-market NFL games;
- b. The estimated or actual economic value of NFL Sunday Ticket;
- c. The estimated or actual economic value of being an exclusive or non-exclusive distributor for any or all out-of-market NFL football games.

RESPONSE TO REQUEST NO. 9:

Google objects to the Subpoena on the grounds that it was improperly served without leave of court. Google understands that discovery in this matter was closed on August 5, 2022. Plaintiffs have not sought leave of Court to serve discovery on Google and YouTube after the discovery cut-off and as a result service of this Subpoena is improper and has no legal effect.

1 Google objects to this Request as overbroad, unduly burdensome and on the ground that it
2 requires unreasonable effort and expense by a non-party that is disproportionate to the needs of
3 the case, in part because this Request purports to require Google to produce “[a]ll Documents” and
4 “all other Documents” without regard to their relevance. Google also objects to the reliance on
5 the overbroad term “constituting,” “reflecting,” “concerning,” “studies,” “prepared,” “received,”
6 “regarding,” “proposed creation,” “economic value,” “exclusive” “non-exclusive,” and “out-of-
7 market” as rendering this Request overbroad, unduly burdensome, and disproportionate to the
8 needs of the case.

9 Google objects to this Request as it improperly uses subparts and is actually multiple
10 requests for production.

11 Google objects to this Request to the extent that it seeks information related to Google’s
12 relationship with other non-parties to this litigation, which is not relevant to any party’s claims or
13 defenses in the underlying litigation.

14 Google objects to this request as impermissibly vague and overbroad as it is not clear what
15 “NFL Sunday Ticket” means, and whether this request seeks information related to the package
16 offered by DirecTV, which Google understands to be the subject of this litigation, or a different
17 package of games, offered or contemplated by other parties.

18 Google objects to this Request on the ground that it seeks information that is not relevant
19 to any party’s claims or defenses in the underlying litigation. Google understands this litigation
20 to involve claims about DirecTV’s Sunday Ticket agreement, not any agreements Google or
21 YouTube may have with the NFL or the Clubs. This request requires Google to act as an
22 uncompensated expert, which Google declines to do.

23 Google further objects on the grounds that this request covers communications between
24 Google and the NFL or the Clubs and therefore seeks documents or information that is in the
25 possession, custody, or control of a party to the underlying action.

26 Google further objects to this request to the extent it seeks disclosure of confidential
27 financial or commercial information, proprietary information, trade secrets, research and
28 development, or any other competitively sensitive information.

Google further objects to the extent the request seeks information protected by any privilege, including the attorney-client privilege, work product doctrine, or any other applicable privilege, immunity, or restriction on discovery.

Google is willing to meet and confer about a properly narrowed request and Plaintiff's plan to pay for the costs of any production of documents by Google.

REQUEST NO. 10:

All documents constituting or reflecting any communications, reports, or analyses concerning compliance with the antitrust or competition laws of any State, the United States, and any foreign country, concerning arrangements for telecasting NFL football games, including any analysis of whether the exclusivity terms of NFL Sunday Ticket may violate the Sherman Act, and any requests for indemnification that encompass or relate to claims brought under the antitrust or competition laws.

RESPONSE TO REQUEST NO. 10:

Google objects to the Subpoena on the grounds that it was improperly served without leave of court. Google understands that discovery in this matter was closed on August 5, 2022. Plaintiffs have not sought leave of Court to serve discovery on Google and YouTube after the discovery cut-off and as a result service of this Subpoena is improper and has no legal effect.

Google objects to this Request as overbroad, unduly burdensome and on the ground that it requires unreasonable effort and expense by a non-party that is disproportionate to the needs of the case, in part because this Request purports to require Google to produce "[a]ll Documents" and "all other Documents" without regard to their import or relevance over a relevant time period. Google also objects to the reliance on the overbroad term "constituting," "reflecting," "communications," "reports," "analyses," "compliance," "antitrust," "competition," "exclusivity," "indemnification" "encompass," and "relate to" as rendering this Request overbroad, unduly burdensome, and disproportionate to the needs of the case.

Google objects to this Request to the extent that it seeks information related to Google's relationship with other non-parties to this litigation, which is not relevant to any party's claims or defenses in the underlying litigation.

1 Google objects to this Request on the ground that it seeks information that is not relevant
 2 to any party's claims or defenses in the underlying litigation. Google understands this litigation
 3 to involve claims about DirecTV's Sunday Ticket agreement, not any agreements Google or
 4 YouTube may have with the NFL or the Clubs.

5 Google objects to this Request on the ground that it seeks information that is not relevant
 6 to any party's claims or defenses in the underlying litigation.

7 Google further objects on the grounds that this request covers communications between
 8 Google and the NFL or the Clubs and therefore seeks documents or information that is in the
 9 possession, custody, or control of a party to the underlying action.

10 Google further objects to this request to the extent it seeks disclosure of confidential
 11 financial or commercial information, proprietary information, trade secrets, research and
 12 development, or any other competitively sensitive information.

13 Google further objects to the extent the request seeks information protected by any
 14 privilege, including the attorney-client privilege, work product doctrine, or any other applicable
 15 privilege, immunity, or restriction on discovery.

16 Google declines to produce any documents responsive to this request.

17 **REQUEST NO. 11:**

18 All Documents reflecting or concerning the litigation captioned *In re. NFL Sunday*
 19 *Ticket Antitrust Litigation*, 15-ml-02668-PSG (JEMx).

20 **RESPONSE TO REQUEST NO. 11:**

21 Google objects to the Subpoena on the grounds that it was improperly served without leave
 22 of court. Google understands that discovery in this matter was closed on August 5, 2022. Plaintiffs
 23 have not sought leave of Court to serve discovery on Google and YouTube after the discovery cut-
 24 off and as a result service of this Subpoena is improper and has no legal effect.

25 Google objects to this Request as overbroad, unduly burdensome and on the ground that it
 26 requires unreasonable effort and expense by a non-party that is disproportionate to the needs of
 27 the case, in part because this Request purports to require Google to produce "[a]ll Documents" and
 28 "all other Documents" without regard to their import or relevance over a relevant time period.

1 Google also objects to the reliance on the overbroad term “reflecting” and “concerning” as
2 rendering this Request overbroad, unduly burdensome, and disproportionate to the needs of the
3 case.

4 Google objects to this Request on the ground that it seeks information that is not relevant
5 to any party’s claims or defenses in the underlying litigation.

6 Google further objects on the grounds that this request covers communications between
7 Google and the NFL or the Clubs and therefore seeks documents or information that is in the
8 possession, custody, or control of a party to the underlying action.

9 Google further objects to this request to the extent it seeks disclosure of confidential
10 financial or commercial information, proprietary information, trade secrets, research and
11 development, or any other competitively sensitive information.

12 Google further objects to the extent the request seeks information protected by any
13 privilege, including the attorney-client privilege, work product doctrine, or any other applicable
14 privilege, immunity, or restriction on discovery.

15 Google declines to produce any documents responsive to this request.

16 Dated: April 13, 2023

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

By: /s/ Amit Q. Gressel
Brad H. Tennis
Amit Q. Gressel

Attorneys for Non-Party
GOOGLE LLC

PROOF OF SERVICE

In re: National Football League's Sunday Ticket Antitrust Litigation
E.D. Cal. Case No. 2:15-ml-02668-PSG (JEMx)

I, Regina C. Glynn, declare:

I am employed in San Francisco County, State of California. I am over the age of 18 years and not a party to the within action. My business address is 1 Market Plaza, Spear Tower, Suite 3300, San Francisco, California 94105. My email address is: rglynn@wsgr.com.

On this date, served the following document:

**NON-PARTY GOOGLE LLC'S OBJECTIONS AND RESPONSES TO
 SUBPOENA FOR PRODUCTION OF DOCUMENTS**

☒ By electronic transmission on this date to the below-listed parties:

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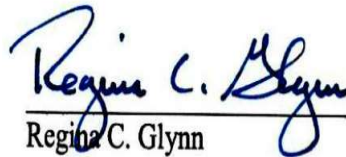
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Attorneys for Plaintiff

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed at Alameda, California on April 13, 2023.


Regina C. Glynn